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December 9, 2015

VIA HAND DELIVERY

James Snyder
Director of Planning and Zoning City of Falls Church
City Hall
300 Park Avenue
Falls Church, VA 22046

Re: December 9, 2015 Resubmission of Mason Row; Letter of Transmittal and Justification of Application for: Amendment to the Comprehensive Plan; Rezoning certain areas of the site to B-1; Special Exceptions to allow Mixed Use, Building Height Bonus (including Statement that Mason Row Is An Exemplary Project Meeting the Special Exception Criteria for Mixed Use and Bonus Height); and Justification for Locating A Loading Space for Trash Removal on a Public Street.

Dear Jim:

Baskin, Jackson & Lasso represents Spectrum Development Company LLC (“Spectrum”), which has contracts to purchase the parcels comprising 4.3152 acres (more specifically identified in the accompanying partial list) including at 919 Park Avenue, 921 Park Avenue, 925 Park Avenue, 212 N. West Street, 110 N. West Street, 934 W. Broad Street, 932 W. Broad Street 922 W. Broad Street, 920 W. Broad Street and 916 W. Broad Street (collectively the “Site”).

The majority owner of the project will be Mill Creek Residential Trust (“Mill Creek”). Mill Creek is one of the largest mixed use developers in the United States and in the Metropolitan DC area. Mill Creek has developed Mosaic in Merrifield, Avenir Place in Dunn Loring, the View at Waterfront in Washington, DC, and the Modera Tempo, in Alexandria. Mill Creek has been working on the design of Mason Row for several months and its Vice President, Sean Caldwell has appeared before the City Council where he explained Mill Creek’s experience, excitement and Mill Creek’s efforts to make substantial changes the July 24 design in order to meet concerns of neighbors and the City Planning Commission and City Council.

This project is complex and it has taken substantial time to get right. There have been exceptional suggestions from neighbors, boards and commissions and the City Council. By July 24, 2015, a substantially revised Mason Row was submitted to the City, and it was reviewed by Boards and Commissions in the ensuing months starting in September. This Design was met with accolades

and also criticism. Most notably, the apartments that appeared to be “townhouses” fronting on Park Avenue were a successful change. But, some thought there were still too many apartments, and the building on N. West Street too tall and the massing too great. The Planning Commission had a tie vote on November 16th, based largely upon the view of three Commissioners who felt the project should not have two anchors and more specifically, that the theater should be dropped.

The Development team believes there should be two anchors-a hotel and a movie theater. That was the City Council’s directive to the team over a year ago and that directive has now been fully embrace, leading to the exemplary development now before the City Council. But the Development team has gone further and made the following revisions to the July 24, 2015 submission that was considered by the Planning Commission:

- The number of apartments has been reduced by 5.3% or 18 units to 299 market rate units and 23 affordable dwelling units.
- The height of the building along N. West Street has been reduced by a full floor,
- The massing has been reduced along N. West Street so as to present less of a “presence” to the immediate residential area,
- A sidewalk will connect Steeples Court to West Street and the development.
- The entrance and traffic light on the eastern entrance on W. Broad Street has been redesigned to be a full intersection thereby improving traffic flow and safety on the south side of W. Broad Street.
- The Voluntary Concessions have been revised to include, for example, exemplary commitments to a very specific retail plan, capital contributions to schools and other public facilities equal to prior projects, affordable housing commitments of 6% of the units at 60% AMI plus three additional affordable dwelling units at 80% AMI, streetscape commitments requested by the City, undergrounding along N. West Street (off-site) and the full set of trail and traffic improvements without any cap on the developer’s payments, the City requested commitment to Bike Share, a shuttle service, public art contribution, an apartment building designed to NGBS Silver standards, and a LEED certified hotel.
- 30 parking spaces will be made available to St. James Church for services.
- The theater has been relocated to the location that was an above grade parking garage behind the three level townhouse style apartments on Park Ave- eliminating the issue of the often criticized appearance of the parking garage and providing the financial “safety” of a location for the theater that is easier to repurpose than an underground location should the theater falter in the longer term.

Fall Church City has a “generational opportunity” of the largest land consolidation in decades. The site is over 4 acres-about the same size as the combined sites of Lincoln at Tinner Hill and Rushmark (Harris Teeter/301 West Broad). The current uses of the Mason Row site are well known to the City and its residents; a mixture of automotive, office, warehouse, retail, restaurant and residential uses, the total contribution of the current site is a little over \$100,000. The City’s estimate of the net new income to the City is in a range of \$1.3m to \$2m. This net new income does not take into account

any indirect new income to the City caused by the spending of the new residents; so the true positive impact of new income is substantial.

As the City undergoes a change to a more urban community, it must take advantage of the opportunities presented to it to redevelop its “downtown” area- largely that “strip” of commercially zoned land along W. Broad Street. Because of the strip rezoning that took place in the early 1960’s the depth of this downtown is extremely limited-often not even one block. There are very few “nodes” of development potential and very few with the vehicular and transit access of Mason Row. In fact Mason Row is the only site in the City that has easy access to the W & OD Trail-a resource that Mason Row embraces. The W& OD Trail is much more than a bike/pedestrian pathway; it is 100 feet wide along its entire length and it serves as a Park of immense community value. While this site is not within the often used “1/4 Mile bulls eye” of the Metro, it is a walkable distance and is easily reached by bike, by shuttle or other public transportation.

Mason Row will locate residences contiguous to this Park with bike share facilities and a complete set of updated vehicular traffic improvement. With over a dozen curb cuts today, Mason Row will reduce access points to three. While not an exhaustive list of all the traffic improvements proposed, the project does include:

- the realignment of the W & OD trail at Grove Avenue and at West Street,
- the placement of the trail on a raised “platform” at Grove Avenue,
- three additional speed “tables” on Grove Ave,
- a full 4 way “regular” light controlled intersection at West, Park and the new Mason Lane,
- new crosswalks, additional lanes, a “bike share” facility maintained by the developer,
- a new sidewalk from Steeples Court to this new intersection,
- a new sidewalk along the north side of N. West street,
- a revised light controlled traffic intersection at the eastern access to Mason Row, and
- a full set of Transportation Demand Management performance standards.

There is even a commitment to a \$50,000 post development study to assess the performance and a commitment to make further TDM measures if that is needed.

The traffic projections provided to the City show that after Mason Row is built and occupied, the service level of all intersections will either remain unchanged or improve their current level. The careful planning of the City, the Regional Park Authority (NVRPA) and the comments of the residents have been taken into account and the long delayed improvements to the transportation system in this area will finally be delivered—all at the cost of the developer.

Mason Row has evolved and is now a premier retail, hotel, entertainment, residential Gathering Place. The Mason Row retail plan was designed by “Streetsense” and it is set out in more detail in the accompanying exhibit. Mason Row is “exemplary” in every sense of that term as it is used in the City’s Zoning Code governing special exceptions. Mason Row provides for land consolidation, superior net new income to the City and the specific uses set out in the City’s zoning code as requirements to be deemed “exemplary”.

The retail plan provides for a Market Square with outdoor dining and opportunities of community events. CATCH has worked with the Developer and CATCH is supportive of this concept as an excellent forum for community gatherings. There will also be dining on the perimeter of Mason Row on West Broad Street and West Street. Shops and Restaurant will be open to both the Market Square and to the current public domain. It is most important that Mason Row be open and inviting to persons along West Street and West Broad Street. The final careful details of the design will take place at the Site Plan but the documents provided here show the attention paid to making Mason Row a special place.

The Developer has agreed in the Voluntary Concessions to a City designed list of prohibited uses, limiting the amount of personal service businesses, and to terms that encourage restaurants (for example, a minimum of 20,000 sf of restaurants, minimum of 16' ceiling heights, 50% of the space to be "vented" for kitchens). The Conceptual Development Plan locates the many outdoor dining areas. No project in the City to date has made this level of commitment.

A critical component of this concept is the theater. The planned theater is not a "multiplex" but is a dine-in movie concept with large reclining seats and tables. The theater will show first run movies and some independent and artistic films to suit the desires of the market in the greater Falls Church, and North Arlington Area. The concept is described more thoroughly in the accompanying document entitled "A Unique Movie Theater @ MASON ROW". Increasingly residents of this area are looking for dining, shopping and entertainment close to home. Mason Row provides a superior option to driving to Tysons, the Courthouse or even to Merrifield to see a movie and have dinner or shop. Residents of the City will be able to bike or walk to Mason Row for new amenities or simply to gather and meet friends or take in a cultural event sponsored by the City or CATCH.

The Request to Amend the Comprehensive Plan.

In order for the Mason Row Project to proceed, the Comprehensive Plan's current designation of "Business" should be changed to mixed use.

The current use of parcels at 919, 921, and 925 Park Avenue is shown on the Land Use Map as "Low Residential" and the remaining parcels on the development site are shown as "Business".

Spectrum proposes to change the Future Land Use Map so that the entire site would be "Mixed Use". The current Mason Row plan responds to the requests of the Community City Staff, Boards and Commissions and City Council to, among other things, provide an improved transitional use and design along Park Avenue. The plans have been revised so that there are townhouse style residential uses along Park Avenue.

This December 9, 2015 plan responds to the requests of residents on Park Avenue and comments from Boards and Commissions. There are no undue intrusions into the established single family neighborhood along Park Avenue. While there are apartments on Park, there is no vehicular access on Park Avenue.

The remainder of the site would be developed as follows:

- A six story mixed use (apartment) building on West Broad, and a five story mixed use on West, with retail, office and service uses in the ground floor, with 322 rental apartments (the apartment building on Park Ave is three stories).
- A hotel of five floors with retail and service uses in the ground floor and hotel rooms in floors 2 through 6.
- The movie theater has been relocated above the location of the former parking garage thereby eliminating the concerns of having such a garage and providing the “safety” of a location that is easier to repurpose than an underground location should the theater falter in the longer term.
- The ground floor of the apartment building would have retail uses; such uses would include a movie theater, restaurants, outdoor dining and entertainment venues, retail shops and service businesses with a mix of local, regional and national brands.
- Cash to support improvements to the existing parkland along the W&OD trail that will provide a connection to the transit and recreational opportunities of the Trail; subject to the approval of the Northern Virginia Regional Park Authority. Cash to be used for parks will be provided.
- Affordable housing is provided that is consistent with City goals, and exceeds that provided by recent mixed use approvals.
- Sustainability levels of Silver NGBS for the apartment building and LEED certified for the hotel is provided.
- Improvements will be provided for bikes, pedestrians and autos will be made that should improve the existing dangers and retain or improve the current levels of service at intersections.

The site is located in planning opportunity area three and the site is discussed in the Comprehensive plan at pages 58 and 59. The redevelopment area calls for mixed uses diagonally across from the site but in fact that area is committed in the long term to retail uses.

By consolidating the parcels in this site and by recently adding 916 W.Broad to the site plan of the project, Spectrum has achieved a number of the Goals in the City’s Comprehensive Plan. Specifically, the proposed mixed use development provides for sustainable development as it will allow for improvements to storm water management, to energy efficiency, to parks and open space, to locating residents nearer to employment, transit and shopping area, enhances the integrity of the low density residential area by establishing for the long term a “terminus” to the residential area of Park

Avenue. The internal and external improvements to traffic movement will greatly improve the current difficult intersection of West Street and Park Avenue. (See pages 75Rv through 76Rv of the Comprehensive Plan).

The site's proximity to the W&OD trail provides a unique opportunity to the City to maximize the benefits of that park and transportation amenity. A mixed use development provides the best opportunity to take advantage of this opportunity. The current general "business" uses called for in the Comprehensive Plan would squander the opportunity.

Demographic and market trends demonstrate that the future development in this area should be an innovative and integrated approach to a mixture of uses, including retail, residential and service uses.

Spectrum expects that given the increasing amount of retail, and newer/smaller multi-family units, the surrounding area will become more attractive to office users as well. In fact, several thousand square feet of office use is now provided in the current plan. The change in designation from business to mixed use on this site facilitates this dynamic.

While the current designation accommodates multi-family uses and the City has approved similar mixed use developments in areas designated "Business", Spectrum suggests the more appropriate designation is "Mixed Use" and consequently has applied for such an amendment to the Comprehensive Plan. The City will retain the ability through the special exception process to control the height, massing, uses and overall character of any proposed mixed use project.

The Rezoning To B-1 and Special Exceptions for Mixed Use and Height Bonus.

The current development plan responds further to requests of citizens and City Boards and Commissions. Further, the residential partner, Mill Creek, is now engaged and Mill Creek has been able to fully assess the requested changes. The changes to the Concept Plan are generally as follows:

1. The hotel has been relocated to the corner of W. Broad and West Streets, responding to requests that the hotel not face the neighborhoods to the northwest; further, the hotel provides for a more prominent commercial feature on the corner of the site as requested. The architecture has been improved.
2. The hotel will be free standing and separated from the residential buildings that will now be on N. West, facing the residential neighborhoods, providing a 25' "open to the sky" separation between buildings improving the horizontal and vertical architectural articulation for the west and northwest elevations.
3. The retail has been removed from the now "R" zoned parcels on Park Avenue and will be replaced with ground level residential apartments that will conceal the theater building and provide the requested transition from the Park Avenue residential neighborhood to the more dense project apartments at the signalized intersection at Mason Avenue, Park, and N. West streets.

4. The number of apartments has been lowered to 322 from 340 (5.3% less).
5. The height on West Street is now five and not six floors with a corresponding diminishment of the overall massing.
6. The movie theater has been relocated above grade in the location of the former parking garage, thereby eliminating the concerns of having such a garage and providing the “financial safety” of a location that is easier to repurpose than an underground location should the theater falter in the longer term.
7. The trash/loading area that was on N. West facing the W&OD trail has been removed and all trash and loading is accessed from within the development except for a two bay enclosed loading area accessed from N. West across from the Wells Fargo Bank.
8. All of the NVRPA requested improvements to the Trail have been agreed upon, as has all of the City’s requested bike and transportation improvements and utility undergrounding.

The rezoning request remains the same. This is possible as 916 W. Broad is already zoned B-1 and it will remain so. The special exception for mixed use and for increased height to 85 feet was earlier amended to include the 916 W. Broad Street parcel. Please accept this Transmittal of and Justification for Applications to rezone the residential (R-1B) properties on Park Avenue and the Commercial properties in the site now zoned B-3, to B-1. Also, please accept this revised Justification for the special exception and height bonus.

As discussed below, the B-1 Zone allows the requested uses. Moreover by rezoning to B-1, automotive uses cannot be located on the site in the future. The City has requested this assurance be provided and so Spectrum requests those portions of the site now zoned B-3 be “downzoned” to B-1.

The site is located in planning opportunity area three and the site is discussed in the Comprehensive Plan on pages 58 and 59. The redevelopment area calls for mixed uses diagonally across from the site, but in fact, that area is committed in the long term to retail uses.

By consolidating the parcels in this site, Spectrum has achieved a number of the Goals in the City’s Comprehensive Plan. Specifically, the proposed mixed use development provides for sustainable development as it will allow for improvements to storm water management, to energy efficiency, to parks and open space, to locating residents nearer to employment, transit and shopping areas, enhances the integrity of the low density residential area by establishing for the long term a “terminus” to the residential area of Park Avenue. The internal and external improvements to traffic movement will greatly improve the current difficult intersection of West Street and Park Avenue (See pages 75Rv through 76Rv of the Comprehensive Plan).

Demographic and market trends demonstrate that the future development in this area should be an innovative and integrated approach to a mixture of uses including retail, office, hospitality, residential and service uses.

Spectrum expects that given the increasing mass of retail, and newer, smaller multi- family units, the surrounding area will become more attractive to office users and other retailers as well.

Additionally, Spectrum requests the approval of special exceptions to allow for a mixed use development to include multi-family rental units and for a bonus of 30 feet in height. Please note the full bonus comes into play mostly along Broad Street at the eastern end of the site where the building is about 82 feet high. The height on West Street is five floors and is about 62 feet; the by right height limit is 55'.

The Staff will provide the fiscal impact analysis; we expect the net impact to be about \$2m.

These requests for specific parcels are summarized in the Application document entitled: The Spectrum Development / Parcel Ownership. Concurrently, Spectrum is requesting a change in the Comprehensive Plan Future Land Use Map for certain areas of the site to be shown as "Mixed Use" rather than "Business" and for the area of the site now noted as "Low Residential" to be noted Mixed Use as well. While the resubmission replaces the current single family dwellings with apartments and the parking structure, the use would make a very good transition from the remaining single family detached (low residential) area to the more active portions of the mixed use Mason Row.

Spectrum and its development team have had extensive discussions with The City Council and Planning Commissions in public work-sessions and with stakeholders in the community, elected and appointed officials and staff members. The central concerns expressed about a year ago have been the following:

1. There should be a substantial commercial component for this large site, and a considerable positive fiscal impact for the City of Falls Church is a primary goal.
2. Density should be increased and a quality hotel should be brought to the project to assist in achieving the desired positive fiscal impact.
3. Traffic is a great concern given, among other things, the unusual configuration of West Street and Park Avenue and the need to control access on West Broad Street and West Street.
4. The buildings should have superior architecture and layout with tapering toward Park and the greatest height and massing along West Broad with a superior focal point at West and West Broad.
5. Some local retailers should be encouraged to stay in the project.
6. Parks and open space needs should be addressed in part by linking the site to the W&OD Trail.
7. The apartment component should be LEED Certified Silver.
8. Storm water management for the site and the immediate area should be improved.
9. Streetscape should be tailored to the site and also consistent with (but not necessarily the same as) the City's existing streetscape standards.
10. There should be two commercial anchor tenants; the second commercial tenant should be a theater.
11. The frontage along Park Avenue should take the opportunity to make an appropriate transition to the development and solidify for the long term the low residential density of that terminus of Park Avenue.
12. Aerial utilities on the site will be placed underground.

13. This redevelopment opportunity involves a large consolidation of eleven separate parcels in the West Broad Street Area, and if redevelopment fails to go forward for any cause, then the existing auto and light industrial uses on some of the parcels will remain for a long indefinite period of time before another redevelopment opportunity may arise.

The Mason Row Development Satisfies the City's Special Exception Criteria for Mixed Use

The City reviews applications for Special Exceptions using the Criteria set out in the City Zoning Code. The following is an overview of the Criteria; please also consider the comments above concerning the project and its positive impact on the community.

1. Primary Criteria (Section 48-90(1)):

a. The resulting development conforms to the City's adopted Comprehensive Plan and Design Guidelines (Section 48-90(1) (a)).

The Comprehensive Plan shows that the property is located in Planning Opportunity Area 3, and the proposed development meets or exceeds the strategies called for in that area:

1. Consolidation of lots to accommodate higher density.
2. Promotion of redevelopment that eliminates stand-alone automobile and light industrial facilities.
3. Improve pedestrian accessibility with controlled cross walks at various locations.
4. Create a consistent design, in terms of building height and design, streetscape improvements, and other aspects of the built environment in the City.
5. Preserve recreational resources in the area.
6. Create development to promote a positive image of the City in an area that has not seen any significant new development in decades.
7. Locate buildings as close to West Broad and West Streets as possible with parking located in the rear or in shared buildings or in structured facilities (in this case covered, surface and underground).
8. Achieve consistent architectural goals.
9. Traffic turn lanes will be added to Broad and West Streets.

Additionally, the Comprehensive Plan's Future Land Use Map designates the property as "business". The text of the Comprehensive Plan currently points out that while this means the area should be "primarily" recognized as retail or office districts rather than residential,

“special exceptions for residential use and height bonuses have also been granted to create mixed use projects in ‘business’ areas since 2002”.

The Comprehensive Plan should be changed to reflect current practice, the City’s goals and the changing environment. To do this, an application to change the Comprehensive Plan’s designation from Business to “Mixed Use” has been submitted to the City. The Design Guidelines show that the property is located in the West Broad Street Area. As called for in the Guidelines, the proposed development will reflect an urban street front, will provide a consistent identity for the area, increase pedestrian activity, and indicate the high standards of the City. In addition, the proposed development will widen paving at crosswalks, improve the area around the W&OD trail, all of which will work to increase pedestrian and bicycle activity in the area. The site’s proximity offers a unique opportunity to finally provide superior connection to the W&OD Trail. The best use to optimize that linkage is mixed use and not office or light industrial uses.

b. The resulting development provides for significant net new commercial square footage and allows for a mix of commercial and residential uses (Section 48-90(1) (b)).

Currently, the properties in the site contribute only minimally in tax revenue. All existing properties are served by significant surface parking. The proposed development will remove these largely automobile-oriented and light industrial uses, providing significant net new commercial square footage and allowing for a mix of commercial and residential uses. The proposed development as noted provides substantial new commercial space (more specifically described in the Table in the Concept plan), and uses language desired by the City.

In summary, there will be hotel, a dine-in movie theater, a small amount of second floor office space (largely to relocate the owner of 916 West Broad St. thereby facilitating the inclusion of that site in the project) and about 50,000 sq. ft. of ground floor retail. This project will have the highest ratio of commercial space to the overall space of any project in the City and produce the highest amount of new revenue per acre.

c. The resulting development produces substantial positive net new commercial and residential revenue to the City (Section 48-90(1) (c)).

In conjunction with this application, information has been submitted to the City to be inputted into the City’s cost/revenue impact model to predict the project’s net new revenue, and a report has been received, which is attached separately. As recognized by the Comprehensive Plan, the parcels that make up the property are underutilized currently in terms of their density and use. The proposed development will significantly increase the assessed value of and resultant property tax revenue generated by the property. In addition, by creating a vibrant, attractive western gateway into the City, the development will encourage additional consumers to enter the area and patronize commercial uses throughout the City.

2. Secondary Criteria (Section 48-90(2)):

a. The development is not disproportionate to surrounding land uses and planned land uses in size, bulk or scale (Section 48-90(2) (a)).

The proposed development is a concrete podium of commercial uses with five floors of office, multi-family and hotel above, with a total height of about 62 feet along West Street, about 35 feet along Park, and about 78 to 82 feet along West Broad Street. These heights refer to the distance from the ground to the roof of the building in those approximate locations.) The exterior is masonry with some high quality Hardi Panel and other high end finishes, and the building is fully consistent with the high standards established by the City for prior mixed use projects. The new building will blend well with its environment near the existing residences and institutional use of the Church and set the stage for future development in the core commercial area of West Broad Street. Given the high-quality design and construction of the building and its prominent place in the City, a building of this scale is appropriate. The proposed development works in conjunction with existing buildings to further create a dramatic, defined statement of quality for this area of the City. The proposed development is consistent with the discussion in the Comprehensive Plan for this Redevelopment Opportunity Area, which calls for significant mixed (multifamily) uses.

b. The resulting development does not overburden the existing community facilities, including the school, transportation and water and sewer systems (Section 48-90(2) (b)).

Transportation

A traffic study has been conducted by Wells and Associates that evaluates the anticipated traffic impacts of the application and provides specific recommendations to mitigate those impacts. The application envisions a vibrant mixed-use development that will be sensitive to the transportation concerns of the City. By providing a variety of complementary uses on the same site, the proposed development will encourage self-contained, pedestrian trips. Additionally, due to its location proximate to several bus routes including a future intermodal transportation center and with implementation of Transportation Demand Management (“TDM”) measures, a percentage of the trips generated by the residential and commercial components of the proposed development are anticipated to utilize non-auto modes of transportation. TDM measures will include a shuttle, Bike Share, convenient bicycle storage facilities, transit incentives, and resources conducive to teleworking. Furthermore, the developer proposes to reconfigure the intersection at West Street and Park Avenue and add lane changes and traffic calming. A traffic light will be placed at West and Park and one at W. Broad Street. Additional TDM measures are set out in the TDM plan. NVRPA has agreed the changes to the W & OD Trail and the City Staff has agreed that the package of transportation improvements meets the City’s needs and goals.

Water & Sewer

The City’s utility engineer has confirmed that the water and sewer service is adequate. The project will greatly improve storm water management with BMPs as the existing development has virtually no storm water management measures.

- c. The resulting development provides community benefits such as affordable housing, as it is described in Section 38-43 (Section 48-90(2) (c)).**

The developer is proposing on site Affordable Dwelling Units consistent with City policy (6% of the units at 60% AMI) plus three additional Affordable Dwelling Units at 80% AMI..

A commitment to construct the Apartment Building to NGBS Silver is provided, and a commitment to construct the hotel to LEED certified is provided. The developer will underground all aerial utilities contiguous to the site.

There is cash contribution to schools and other capital projects equivalent to the City expected standard of \$7,511 per market rate unit.

A bus shelter is provided.

The full package of requested transportation improvements set out above is provided. And the Developer will provide \$50,000 after completion towards a transportation study to assess the performance of the agreed transportation measures.

A cash contribution to CATCH of \$25,000 is provided.

- d. The resulting development contributes to a vibrant, pedestrian-oriented environment both on site and in relation to adjoining properties, with street level activity throughout the day and evening (Section 48-90(2) (d)).**

The current uses at the site are distinctly automobile-oriented, with the majority of the property occupied by their own surface parking lots. The proposed development will move almost all parking within enclosed structures, which will contribute further to the walkable nature of the area.

The provision of streetscape along the entire development's three sides facing streets will contribute to the vibrant, pedestrian-oriented environment with connectivity to adjacent commercial and park areas. The mix of uses, including restaurants, retail, and other commercial opportunities will provide a balanced commercial center that will generate pedestrian traffic throughout the day and evening. The street level retail uses will be very visible and will encourage customers to enter the area to shop and visit not only this development, but the additional retail located nearby.

- e. The resulting development offers creative use of landscaping, open space and/or parks, public plazas or and walkways connecting to adjoining properties (Section 48-90(2) (e)).**

Three sides of the proposed building will have the attractive "streetscape" design and fixtures, and there will be enhanced connections around the site to nearby businesses, parks, and residences. The area near the W&OD trail will invite pedestrians to ride bikes, rest, talk, sit, eat and simply enjoy the area which includes the soon to be completed West End Park. Other contributions are included for city services and capital needs.

A cash contribution of \$150,000 for Parks is provided.

- f. The resulting development provides a variety of commercial services and uses that are attractive to and meet the needs of all city residents for entertainment, art, recreation, dining retail and an array of consumable goods (Section 48-90(2)(f)).**

As stated above, the proposed development envisions a hotel as well as a mix of commercial uses. This includes a movie/dinner theater, and retail opportunities in an area that is lacking sufficient quality retail currently. These commercial entities will serve the residential uses within the proposed development, as well as the neighborhood as a whole.

The Market Square is designed to be hub for gatherings and for cultural events. CATCH has offered to coordinate the use of this Square for events and programs. The dine-in movie theater under consideration also has community outreach programs that will contribute to the Quality of Life in the City.

- g. The resulting development encourages local or independent businesses (Section 48-90(2)(g)).**

The retail and restaurant spaces provide a unique opportunity for local, regional and independent businesses, and the high-quality development will help the area as a whole attract and cultivate local and independent businesses. The developer is working with at least two existing tenants to return to Mason Row upon completion by providing commercial inducements to them.

- h. The resulting development provides for a reduction of single use parking requirements through shared parking Section 48-90(2) (h)).**

As shown in the submitted conceptual plan, the developer is recommending shared parking. The developer will explore with the City any additional parking reductions are justified based on the characteristics of the property, its proximity to bike ways and the availability of busses. Additionally, metro to the nearest metro rail station is easily available and it is expected that some residents will bike to work (or to a multi-modal transit location for switching to bus or rail), and that the commercial uses will be patronized at least in part by pedestrians and cyclists.

- i. The resulting development encourages multi-modal transportation through design and other techniques to reduce the reliance on single occupancy vehicles, and utilizes sheltered stops for mass transit whenever feasible Section 48-90(2) (i)).**

As discussed, the property is in close proximity to existing bike ways, as well as the Metro Rail station and several bus lines. It is expected that some residents will walk to the Metro Rail station and others will bike to work, and that the commercial uses will be patronized at least in part by pedestrians and cyclists. The design includes attractive and user friendly places for bikes to be parked and stored.

- j. The resulting development utilizes LEED criteria in the design of the project Section 48-90(2) (j)).**

The proposed apartment development is planned to be constructed to NGBS Silver standard and the Hotel to LEED Certified standard. The project will otherwise be designed using green design principles and elements.

By removing the existing imperious parking lots and implementing a new storm water management plan, the development will greatly reduce storm water runoff in the area. Additionally, the non-residential part of the project will incorporate eco-conscious, sustainable elements in the design of the hotel and other commercial spaces.

Special Exception for Height Bonus: Mason Row is Exemplary and meets the Standard for Bonus Height

The area of the site to be used for the mixed use project is currently zoned B-3 and B-1, which permit a by-right height of up to 55 feet. The developer proposes the requested development to be a maximum height of 85 feet. The actual height (from ground to the roof) is about 35 feet along Park Ave., 62 feet along West Street and about 78 feet to 82 feet along West Broad Street. The height of the project for purposes of the “bonus” refers to the height of the building as the average of the height of the building measured along the entire perimeter of the building. While the request for a 30 foot bonus, the building requires the full 30 foot bonus in only one location-the eastern most corner of the building on W. Broad Street. For example, the building on West Street on the western end is only about 62 feet high.

Up to 30 feet of bonus height may be granted if the project is “exemplary” in terms of conformance to the Primary Criteria 1 and 2 set out above and assists in conformance with Primary Criteria 2 and 3. The amount of new commercial area is many times the area of the existing commercial activity. More importantly, the new commercial activity replaces commercial uses which are discouraged by the City’s Comprehensive Plan. The net new commercial and retail income is far greater than that of the existing uses and far superior in terms of making the area a desirable place to live, work, and play. Many of the difficult to achieve goals of the Comprehensive Plan will be met by the proposed development. For these reasons, this plan is exemplary in its achievement of the primary criteria set out above.

Bonus height may be awarded for certain “preferred uses” when located on primary street frontage. These uses include outdoor dining, hotel, entertainment and other uses specifically requested by the City. This development proposes improvements to the W&OD Park, a hotel, offices, a new movie/dinner theater, multiple retail opportunities and outdoor dining and some restaurants possibly with entertainment; all of which are considered preferred uses, justifying a bonus height of 30 feet.

It is important to note here that the first floor retail uses require ceiling heights ranging from 16 to 24 feet, and that this required ceiling height is a major reason why the bonus is needed. As discussed, the design of this project, and in particular its height, is an exceptional new addition to this part of the City. The project sets a high bar for quality in terms of design, use, and materials, and if the proposed project were to be lowered by 30 feet, the integrity of the design would be greatly compromised, likely making the development infeasible.

The location and unique physical characteristics of the site make the requested building height appropriate. The property is located in an area that is expected to attract similar developments which will likely reach heights of 85’ (along West Broad Street specifically), so that the requested height of 85’ in certain locations is not out of the character of the surrounding neighborhood and the expected area as it evolves.

Request that the Council Grant Approval of the Use of the Public Street for a Loading Space for Trash Removal.

Pursuant to Section 48-939 (1) of the Falls Church City Zoning Code, Spectrum requests that the City Council give its express approval of the onsite loading space for trash removal (on N. West Street) as shown on the Conceptual Development Plan for Mason Row mixed use development.

The Developer has further investigated placing this facility within the Site but attempts at relocation have not proved successful. The interior road will be used for the Hotel's Guest Drop off and Exit and the remaining space on the Market Square will be occupied with outdoor dining and other uses.

The loading space on N West St. for trash removal is necessary because of the location of market square and the fact that the development must provide a trash garage for the South West retail building and Hotel. This trash garage cannot be located on or in visual proximity to the market square due to retail tenant requirements and the planned special programming for the market square. Trash odors and odors from sidewalk trash stains would have a negative impact on the market square environment. Additionally, the development should not have a trash garage at its main entrance to Mason Ave at W Broad St., which would be for purposes of servicing the trash requirements of the south west commercial building. This is because of the proximity of this area to market square and because of the importance of this entrance to the visual appeal of the project to pedestrians and vehicular traffic on W Broad St.

The Developer's Voluntary Concessions will reflect time limits for trash pickup at this on street location. In this regard, the N West St. garage trash removal will not occur during peak traffic times in the morning and evening. Trash pickup will not occur in the weekday mornings between the hours of 7:00am and 9:30am on weekday afternoons between the hours of 4:30pm and 7:00pm.

The Developer has proposed a decorative garage door that will be in keeping with the architecture when closed. Further the Developer has agreed to the Staff's suggestion to lower the curb and use the same sidewalk materials for the area to be used for the loading area. The area will be attractive and time taken to pull out trash and remove it, will be minimal.

The redesign of the project has allowed the elimination of the trash removal facility on N. West Street located across N. West Street from the W & OD Trail. Removal was requested by the Staff and citizens.

The proposed location is across from Wells Fargo Bank and is shielded with a garage door. This large development requires a trash pickup facility somewhere along N. West Street. The location chosen minimizes noise and disruption.

The Zoning Code requires that such a location be expressly approved by the City Council and hence that approval is hereby requested.

James F. Snyder
Page 16
December 9, 2015

CONCLUSION

The Spectrum redevelopment at Broad and West fully reflects the City's vision for that area of Falls Church. The project meets or exceeds the primary and secondary criteria used to evaluate the merits of the special exceptions. Therefore, the requested special exceptions for residential use and height bonus at the City's gateway should be granted.

Thank you and the City Staff for its guidance and attentiveness to this project.

Sincerely,

A handwritten signature in black ink that reads "David R. Lasso". The signature is written in a cursive, flowing style.

David R. Lasso

DRL/saj&aaw
Enclosures



G T M A R C H I T E C T S

December 9, 2015

Gary Fuller
Principal Planner
City of Falls Church
300 Park Ave
Falls Church, VA 22046

Re: Mason Row Changes

Gary,

Listed below is a summary of changes that have occurred on the Mason Row project between the SE Application Sub 06 (Dated July 24, 2015) and the current SE Application Sub 08 (Dated December 9, 2015):

Residential

1. Reduced the number of apartments from 340 to 299 market rate and 23 ADU, for a total of 322 (5.3% reduction).
2. Reduced the residential gross floor area.
3. Increased number of ADU homes by 3 homes above policy.
4. Removed one (1) floor of apartment building along N. West St
5. Removed one (1) floor of apartment building at corner of Mason Ave and Park Ave
6. Added residential access points throughout ground floor for convenience of residents to access retail and W/OD Trail.
7. Changed the large blank façade on east elevation along W. Broad St to (2) smaller facades.
8. Provided space for potential mural on eastern façade at Broad St.
9. Added a green screen at the 2 parking levels on the east façade.
10. Reduced overhang of cornice at tower locations @ N. West Street and Park Ave.
11. Broke up parapet of residential cornice along Broad Street.

Retail

1. Relocated theater to above grade location at eastern interior area of the site.
2. Maintained the same retail plan configurations.
3. Maintained the convenience retail parking at grade and mezzanine spaces.
4. Removed parking garage from under Market square to allow more flexibility of designing Market Square during site plan.
5. Moved apartment and theater building back an additional 16' from Park Ave. (Theater façade is now 60'-63' from Park Ave curb).
6. Theater height is 30'-40' maximum, with the final height to be determined after the theater design is completed. At a maximum, the theater will be equal in height to the previously proposed parking garage, but may be shorter.

Hotel

1. Redesigned Hotel elevations to fit in with Falls Church architecture.
2. Broke the cornice lines at the roof of the hotel .
3. Differentiated hotel common areas from rest of hotel.
4. Carried hotel architecture down to grade to highlight hotel entrance.
5. Minimized "Green" hotel branding color on facades.
6. Reduced material color palette of hotel to look less busy.
7. Removed E.I.F.S material from the community.

Transportation & Jurisdiction

1. East access on Broad Street revised to incorporate entrance into Dominion Jewelers and their inter-parcel access with Rowell Court.
2. All city, neighborhood and NVRPA traffic improvements provided, including:
 - a. Narrowing Grove Avenue to 25' along the Park property
 - b. Providing raised crosswalk for Grove Avenue
 - c. Re-aligning N. West Street curb to narrow road between N. West and Grove Ave.
 - d. Added sidewalk and curb re-alignment for northeast bound N. West Street to Steeples Court.
5. Parking provided per Application Sub 06: 1,108 spaces
Parking provided per the current SE Application Sub 08: 1,007 spaces
6. Added 3 speed tables for Grove Ave in VC's, subject to city approval.

Please let me know if you have any further questions.

Thanks,



Jeff Whitman
GTM Architects

MASON ROW RETAIL PLAN

The Retail Vision for Mason Row is an entertainment and food destination that will draw customers on a regular basis to Mason Avenue and Market Square. Streetsense has been hired to develop the retail strategy and **lease the retail spaces in Mason Row**. Streetsense is a national design and strategy firm specializing in retail, restaurant, hospitality, and real estate solutions. Streetsense is known to the City of Falls Church and recognized locally for its planning work in high-profile projects such as the Collection at Chevy Chase, National Harbor, and Barracks Row and for their work with influential clients including Mike Isabella, Jose Andre, Ivanka Trump on her Old Post Office redevelopment and The Ritz-Carlton in Europe and Asia.

The retail leasing strategy is shown in the attached **Retail Space Plan** developed for Mason Row by **Streetsense**. The retail strategy calls for **23 retail locations** totaling approximately 61,000 square feet in addition to approximately 35,000 square feet for an eight screen theater that will pair the latest **first-run movies** and alternate programming with an **in-theater dining** experience. Almost **50%** of the ground level retail spaces are **planned for** full service, fast casual and quick service **restaurants**. A small format **organic market** is also contemplated with the remaining approximately 21,000 square feet of retail spaces divided equally between specialty/boutique retail stores and retail services.

Retail Industry reasons why Mason Row Retail will be successful:

- Mason Row's **location on West Broad** and neighboring **market demographics**.
- Mason Row's adjacent connection to the **W&OD Trail**.
- Mason Row is anchored by a **theater** (see attached theater description) which will **generate customer traffic** for the other **retailers**.
- Mason Row has **sufficient land area** to provide for a critical mass of retail shops, restaurants and convenient parking- allowing the offering of ample quality options and variety **that incentivizes people to choose Mason Row on a regular basis**.
- **Mason Row's clustered retail spaces** will allow customers to park once (vehicle or bicycle) and walk to numerous shops, which activates the streets and provides **greater exposure to individual retailers**.
- Mason Row is a well-designed **open air, pedestrian oriented** retail market place.
- Mason Row is designed for **outdoor** restaurant and cafe **seating**.
- Mason Row's public plaza, **Market Square**, will **host events/festivals** that will enliven and enhance the pedestrian experience and **draw customers** to the retailers.
- Mason Row plans to allow for **creative attractive** retail **storefront designs** to facilitate identity for individual retailers.
- Mason Row's **adherence to Streetscape Standards** in the public areas and thoughtful **smart landscaping and streetscape within the Project** will enhance the pedestrian experience and **draw customers to the retailers**.

All of the retail and special events, the W&OD Trail and the City's main downtown commercial street are brought together by Mason Row. This creates a powerful visual, social and commercial destination for the City of Falls Church.



A Unique Movie Theater @ MASON ROW

The Theater at Mason Row is an entertainment venue - not a standard multiplex theater found in many cities and counties in our area.

Mason Row is offering a dinner and a movie concept in a small size theater with large reclining seats with tables. The theater will be approximately half the size of the typical multiplex theaters in our area and will function as a restaurant/lounge and special events venue in addition to being a movie theater. **The theater will be limited to 800 seats in 8 auditoriums. The theater will offer first run movies from Hollywood studios, noted small budget and artistic films and special screenings of films. All theaters are 100% reserved seating.**

In addition to its first-run movie showings, **the theater focuses on social gathering around the restaurant/lounge and the adjoining Market Square and through themed screening events, which are designed around a specific film of interest or sponsorship of a charity or non-for-profit community organization.** The theater will have a Director of alternative programming PR and Community Outreach. This person will attend community meetings as invited or that are open to the public for purposes of developing special events for the community. This Director enables the theater to be more unique to Falls Church, which stands in some contrast to what is offered by the standard multiplexes in the area.

Examples of theater community outreach and programming in the theater's other markets:

- (1) Reserved private screening for **special needs children**, whereby the lights and volume are lowered and children are encouraged to move around as needed – kids are free and adults pay for a discounted ticket – unique way for families with special needs kids to get together.
- (2) **Military premiere fundraiser for a Foundation** that gives back to men and women serving in the U.S. Armed Forces. The Director/Producer and main character of the screened film and several public officials and local celebrities were in attendance and they each visited every theater to meet and greet the event attendees. This was a significant fundraiser.
- (3) **Education programming at the theater** for the local community, offering educational films and documentaries with Q&A discussion.
- (4) **Speaker Series whereby noteworthy guest speakers are invited to show a topic specific film** and speak to the attendees.
- (5) **A collaboration with hospitals/leading medical groups to show pertinent movies about important medical issues** that impact the community – film screenings have included Rethinking Dyslexia for parents and children with Dyslexia, Miss Representation for the Women's' Foundation Gender in Media Forum, The Notebook (Alzheimer's) and Flight (Alcoholism),
- (6) **The Cans Film Festival** where **free admission** to a movie is **offered in exchange for the donation of canned goods** for local food banks.
- (7) **Old time sports weekend events** with a screening of a popular sports film with sports celebrities in attendance.

THEATER INDUSTRY PRACTICE CALLED CLEARANCE

Clearance is a common theater industry policy that allows the major theater chains (AMC, Regal, & Cinemark) to tell Hollywood studios that they will not screen most new movies, and particularly popular new releases, unless the Hollywood studio agrees that these first-run movies will not be screened at nearby theaters that are within **three miles** of the major chain location. The three major chains are able to exercise these clearance privileges with the studios because, collectively, they control about 42% of the nation's movie screens.

The nearest AMC Theater to the City of Falls Church is the 16 screen theater in the Tysons Corner Mall. This theater is **3.2 miles** from W. Broad and N. West Streets. AMC-Tysons is 2.8 miles from the intersection of W. Broad and Haycock Road.

The nearest Regal Theater to the City of Falls Church is the Regal 12 screen theater in the Ballston Commons Mall in Arlington. This theater is **3.2 miles** from the intersection of S. Washington and Gresham Place. The nearest Cinemark Theater to the City of Falls Church is the Rave Fairfax Corner 14 screen theater in Fairfax, which is 11 miles and would not be a clearance problem for a theater in the City of Falls Church.

Although Angelika Film Center is an independent without the size to exercise clearance rights with the studios, it is 3.5 miles from AMC Tysons and has been allowed to screen first-run movies. Also, it is 3.2 miles from W Broad and N West Streets.

Clearance policy would discourage a theater that relies on Hollywood studio new releases to locate in the City of Falls Church anywhere west of 1100 W. Broad Street. Cinepolis, a major Mexican cinema company with luxury locations breaking into the U.S. market, estimates it has walked away from one-third of the 200 sites it has scouted for theaters because of clearance concerns, said the chief executive of its U.S. operations. It is noteworthy that the October 30 release of *Burnt* is screening at AMC Courthouse but not at Regal Ballston Commons. These theaters are 1.5 miles apart. This is a prime example of the Clearance policy at work.

A new theater concept is rapidly emerging which industry experts believe will be the future of "movie going". These concepts are typically 6-8 screens that offer in theater restaurant quality food and adult beverages in plush over-sized seating. These concepts are primarily locating in urban mixed use projects. The critical mass of complimentary retail and compliance with clearance policy has stemmed significant interest from several theater companies to explore locating one of these emerging theater concepts in Mason Row. The City EDO and retail brokers have had ongoing efforts for decades to attract a theater to the City of Falls Church without success. Today, there is not a site east of Mason Row, nor will there likely be a site in the future located east of Mason Row, that has the elements necessary to attract a theater of any size or style.

ADMISSION TAX RATES

Nineteen cities and towns in Virginia report levying an admissions tax ranging from 2% to 10%. The Virginia Code also authorized 13 counties including Fairfax and Arlington to enact admission tax not to exceed 10%. The following are a sample of admission taxes being levied.

VIRGINIA-CITIES

Alexandria-10% not to exceed \$0.50 per person

Richmond-7% no cap

Roanoke 5.5% theaters—9% Civic Center

Fredericksburg 6% no cap

Virginia Beach 10% no cap

Hampton VA 10% no cap

Norfolk VA 10% no cap

Newport News 10% no cap

Chesapeake 10% no cap

Salem VA 7% no cap

Bristol VA 10% no cap

Harrisonburg 5% no cap

VIRGINIA-COUNTIES

Dinwiddie 4% no cap

Roanoke County 5% no cap

New Kent County 2% no cap

Montgomery County

Admissions Tax is a 7% gross receipts tax on box office sales.

COMPARATIVE THEATER TICKET PRICING

EFFECT OF ADMISSIONS TAX

BURNT, a Hollywood studio movie starring Bradley Cooper was released October 30, 2015

<u>Fairfax County</u> AMC TYSONS Tax 0	Showtime 7:15pm Ticket Price \$13.49
<u>Arlington County</u> AMC COURTHOUSE PLAZA Tax 0	Showtime 6:45pm Ticket Price \$13.49
<u>Fairfax County</u> AGELIKA FILM CENTER Tax 0	Showtime 7:15pm Ticket Price \$13.00
<u>Alexandria City</u> AMC HOFFMAN CENTER 22 Tax \$.50	Showtime 7:00pm Ticket Price \$12.29
<u>Alexandria City</u> REGAL CINEMA POTOMAC YARDS Tax \$.50	Showtime 8:10pm Ticket Price \$12.00
<u>Loudoun County</u> ALAMO DRAFTHOUSE CINEMA Tax 0	Showtime 7:45pm Ticket Price \$12.00
<u>Richmond</u> MOVIELAND AT BOULEVARD SQUARE Tax 7%	Showtime 7:10 pm Ticket Price \$10.00
<u>Virginia Beach</u> AMC LYNNHAVEN 18 Tax 10%	Showtime 7:05pm Ticket Price \$10.77
<u>Norfolk</u> REGAL MACARTHUR CENTER Tax 10%	Showtime 7:10pm Ticket Price \$10.55
<u>Hampton</u> CINRBISTRO@PENINSULA Tax 10%	Showtime 7:00pm Ticket Price \$11.00
<u>Chesapeake</u> REGAL GREEBIER STADIUM Tax 10%	Showtime 710pm Ticket Price \$10.55
<u>Roanoke</u> REGAL VALLEY VIEW Tax 5.5%	Showtime 7:00pm Ticket Price \$11.28

CONCLUSION:

Admission taxes are a non-factor in the competitive pricing of Movie Tickets



December 9, 2015

Mr. Gary H. Fuller, AICP
Principal Planner
City of Falls Church Planning Division
Harry E. Wells Building
300 Park Avenue, 300W
Falls Church, VA 22046

Re: **Mason Row, Mixed-use project, by Spectrum Development LLC**

Dear Gary:

Below are responses to the comments from staff dated December 3, 2015, and our responses to how each item is addressed with the December 9, 2015 submission.

Comment 1: **Residential Apartment count and mix**

Studios
1-bedrooms
1-bedrooms + Office/Dens
2-bedrooms

Response: *The current mix is as follows:*

(28) Studios
(81) 1-Bedrooms
(96) 1- Bedrooms with Den
(117) 2-Bedrooms
Total (322) units

Comment 2: **Trash loading plan and conditions (in VCs)**

The following "list of items" includes elements that the Applicant has informally committed to or is in the process of formalizing and for recommended approval should be part of the final application package and record, prior to any final City Council consideration. These items would be provided in the form of new, revised *Voluntary Concessions, Community Benefits. Terms and Conditions* submitted for post- City Council final action on December 14, 2015 and administrative staff review and confirmation. As such the following items are recommended by staff to be included with any action to recommend approval by City Council:

Response: *The revised voluntary concessions are included with the distribution package. Included in the VCs is a schedule for trash pick-up to accompany the right-of-way trash pick-up location.*

Comment 3: Revised **Voluntary Concessions, Community Benefits, Terms and Conditions (VCs)** dated October 5, 2015 - add the Applicant's newly revised commitments stated in email dated November 9, 2015 from D. Buskell (Attachments 1 & 2), be formally finalized and added to the VCs. While the VCs may continue to be refined and negotiated prior to City Councils final consideration the significant updated commitments made on November 9, 2015, by email, to the cash contributions to the city, bike share and ADUs need to be formally integrated into the VCs. These updates address several previous issues areas staff had been discussing with the Applicant. [Note: subsequent revised November 23, 2015 VCs under review, may respond to all or most)

Response: *The newly revised commitments have been added to the latest VCs, submitted with this package.*

Comment 4: **Retail First Floor Heights** - The retail first floor area heights need to be increased from the proposed minimum floor-to-ceiling height of 14 feet to provide more options for future retailers. That a higher minimum floor-to-ceiling height be committed to in the VCs.

Response: *The first floor height has been revised and included in the latest VCs, submitted with this package.*

Comment 5: **Proposed Traffic Signal/Intersection W. Broad Street** - Applicant needs to study potential redesign options for the future proposed West Broad Street traffic signal location and intersection configuration. To alignment with the Dominion Jewelry curb cut and also serve Rowell Court via the existing inter-parcel access. Provide an exhibit or conceptual plan showing the intersection redesigned and alignment with the existing entrance at Dominion Jewelry across the street.

Response: *The intersection has been revised to incorporate the Dominion Jewelers curb cut entrance, which will be designed into the signal phasing.*

Comment 6: **Conceptual Architectural Plan Revisions** - Pending. The Architectural Advisory Board (AAB) at their October 7, 2015 meeting reviewed the Mason Row plans and made several recommendations. Recommended improving the building articulations, roofline, hotel branding colors not in keeping with Falls Church, street

level retail treatment and residential townhouse style multi-family building on Park Avenue needing further accessory architectural townhouse features (Attachment 3). Applicant to provide revised conceptual architectural plans that reflect these recommendations in final form and a supplementary written statement on the architectural recommended refinements made, what, where and, if not, justify why they were not possible.

Response: Listed below are responses to each feature listed above:

- A. **Rooflines/Building Articulation:** See attached renderings and elevations. We have broken down the horizontal datum at the roof level on each building to minimize building façade length.
- B. **Hotel Branding Colors:** See attached renderings and elevations. We have redesigned the hotel to fit more within the Falls Church architecture and minimized the hotel branding color to small segments on the corner tower element.
- C. **Street Level Retail Treatment:** Design intent of retail facades is to promote façade variety and not a homogenous retail frontage you might see in typical suburban strip malls. A project such as Mason Row strives for a variety of retail façade treatments as this adds visual interest and character to the street level much like you would see in a retail village. However, the developer does not want unlimited retail façade treatments for the project as this creates a mottled and disjointed retail plan. The Developer shall establish design parameters/guidelines for future retail tenants to promote individual branding expression but with limitations conducive to Mason Row. These guidelines may include material types, % of transparent glass, signage, material colors, etc. and shall be developed in the future.
- D. **Residential Townhouse on Park Avenue:** Further architectural embellishment, including false entry doors, stoops, etc. for the townhouse facades, will be evaluated and developed during the site plan process.

Comment 7: **Grove Avenue and N. West Street Improvements** – newly proposed concepts for the raised crossings at the W&OD trail and street narrowing to slow traffic on Grove Avenue and N. West Street, need to be added to the conceptual development plan (CDP) and formally shown. Staff will review and comment on the concept plans accordingly. The concepts have been shown in recent PowerPoint presentations by the Applicant (Attachment 4).

Response: *Improvements per our meeting with staff were added to the CDP to include a raised Grove Avenue trail crossing, narrowing Grove Avenue to 25' through the park*

property, narrowing North West Street between Grove and N. West by re-aligning the curb, adding sidewalk to N. West headed northeast up to Steeples Court.

Comment 8: **Parapet Walls and Maximum Building Height Limits** – the Applicant has responded to public comments and concerns about additional height concerns and agreed to limit future parapet walls to a maximum of four (4) feet in height, as needed to screen rooftop equipment etc. That no residential penthouses are planned or allowed and any mechanical structures on the roof exceeding a four (4) foot high parapet wall shall be limited to the exception of a grocery use under the reference on the conceptual plans to “*roof structures shall not exceed a maximum of 20 feet above the height of the building and shall be concealed either by a parapet wall or by exterior architectural material of the same type and quality as that used in the exterior walls of the building.*” The Applicant will provide a note on the conceptual architectural plans reflecting these limitations and prohibitions, as stated above reflecting the email to Kathy Kleiman from Dick Buskell, dated November 10, 2015 (Attachment 5).

Response: *The note has been added to the elevations.*

Comment 9: **Transportation Management Plan (TMP)**, Applicant has agreed to commit to staff’s suggested 1) Reduction in the number of peak hour trips generated by residential and office uses from ITE Trip generation amounts by 25%; 2) Increase non-Single Occupancy Vehicle (SOV) mode share for the site as a whole to 47%; and 3) reduce parking demand for the site by 13% from city code parking standards. Applicant has indicated they will agree to these performance goals and targets as commitments and reflect them in the final VCs at special exception and develop fully in the final TMP at site plan. These above referenced performance standard are to be formally added to the VCs.

Response: *The above standards have been added to the VCs.*

Comment 10: **On-Street commercial loading space** proposed for use as a trash pickup to occupy a City’s public street right-of-way needs “operational conditions” as part of the application – further details of operational plan, frequency, limits to hours, maximum size of vehicles, use by hotel only and other relevant conditions are needed, as well as, architectural treatment of door prior to final consideration by City Council. Applicant shall provide a detailed written operational plan for staff review that addresses and details the above mentioned and any other staff operational standards requested.

Response: *Information and restrictions for the trash pick-up have been added to the VCs.*

Comment 11: **Traffic signal warrant preliminary studies** have been requested by the Department of Public Works (DPW) – Pending, must be provided to staff at this time for review.

Response: *As coordinated with staff, the preliminary traffic signal warrant was included with the traffic study in the July 24, 2015 submission, and is being reviewed by staff.*

Comment 12: **Final Conceptual Development Plan and Conceptual Architectural Elevations -**

Final, revised special exception are required that reflect the items listed above, as needed graphically or illustratively. That the Conceptual Architectural Elevations also be specifically reference in VC #1.

Response: *This has been added to the revised VCs.*

Staff Review Comments

Key technical staff comments on the Mason Row application are summarized and addressed in the Applicant's response letter dated November 3, 2015 having been originally comments from staff detailed a letter to the applicant, dated September 21, 2015. The Applicant's November 3rd response letter and November 12th conceptual development and architectural elevations revisions are all currently under final staff review. [Note: November 23, 2105 VCs may have addressed several of these items]

Key Staff Comments and Issues:

Comment 13: **Comprehensive plan, Land Use Plan Map Amendment; Zoning Map Amendment (Rezoning) and Special Exceptions** requested are generally compatible with the overall land use objectives, special exception criteria and zoning regulations under the current proposed conceptual development plan the supporting community benefits, and the final plan revisions. Staff has noted some inconsistencies in supporting documents and plans for detailing in final revisions - Pending, the July 24, 2015 dated conceptual development plan (CDP), architectural plans and the revised Voluntary Concessions, Community Benefits, Terms and Conditions, dated October 5, 2015, must be updated to reflect the Applicant's latest updated commitments, in a formal and final form.

Response: *Plans and documents have been updated to reflect the latest revisions as noted in the accompanying memo.*

Comment 14: **Architectural Design and Massing** - staff has provided comments on needed architectural design changes and refinements. Hotel brand “green” bars should be eliminated, as well as, “red” building façade as Mason Lane and Park Avenue. The July redesigned site layout and building/use separations has improved the massing of the project, providing notable relief from the previously perceived fortress-like design. The Applicant should continue to explore additional design strategies to further reduce the building height and scale to achieve further compatibility with the immediately surrounding neighborhoods.

The Architectural Advisory Board (AAB) at their October 7, 2015 meeting reviewed the Mason Row plans and made several recommendations. The AAB recommended improving the building articulations, roofline, hotel branding colors not in keeping with Falls Church, street level retail treatment and residential townhouse style multi-family building on Park Avenue needing further accessory architectural townhouse features (Attachment 11).

Response: *See revised Hotel Elevations and Renderings. The hotel “Green” branding has been minimized and carefully located within a small section of the corner tower element. We feel the hotel redesign and reduced “green” branding meet both the City’s request for Falls Church architecture and hotel branding requests. The “Red” façade of the retail level is just illustrative and actual color theme and usage will be further designed in the retail design guidelines. We have also reduced the overall massing of the project by removing a floor on the residential building facing the W/OD trail and at the corner of Mason Ave, N. West St and Park Ave.*

Comment 15: **Traffic signal warrant preliminary studies** have been requested by the Department of Public Works (DPW) - Pending"

Response: *See response to Comment 11 above.*

Comment 16: **Adjacent W&OD Trail re-alignment and improvements** should be the responsibility of the Applicant - Applicant has agreed in the latest VCs to construct and/or cover the costs of such improvements, as shown on Conceptual Development Plan (CDP). Newly proposed Grove Avenue and N West Street raised crossings and road improvements have been agreed to by the Applicant and show in informal exhibits (Attachment 12). Street redesign and improvement need to be reflected in VCs and conceptual development plans.

Response: *See response to comment #7 above for included revisions.*

Comment 17: **Final language, terms and amounts related to offered community benefits** in the *Voluntary Concessions, Community Benefits, Terms and Conditions*, dated October 5, 2015 regarding school capital contribution, affordable housing unit types/mix and other items - Pending further staff comments and Applicant revisions. Applicant had addressed principal or key pending issues in an email correspondence dated November 9, 2015 relating to ADUs, School capital and community improvements funding etc. (Attachment 2). Final VCs are pending.

Response: *The VCs were revised to address outstanding issues.*

Comment 18: **Proposed on-street, private loading space for trash pickup in City public street right-of-way** needs operational restriction to go along with submitted November 4th letter requesting and accompanying justifications for formal consideration by *Resolution* of the City Council under Section 48-939 (I) of the City Code. - Applicant provided application and justification materials on November 2, 2015 (Attachments 6). Formal request and justification letter from applicant received on November 4, 2105. Further details of operational plan, frequency, limits to hours, size of vehicles, use by hotel only and other relevant, is needed. VCs should reflect operational conditions and limitations.

Response: *Information and restrictions for the trash pick-up have been added to the VCs.*

Comment 19: **Building Step Backs criteria for Garage Building (East)** - Special Exceptions with requests for height bonuses in a B-1 district, under section 48-455 of the City Code requires "exemplary" projects and specifically refers to building step backs when adjacent to a R-district (St. James Church property zoning is residential). No building step back at 30 or at 55 feet is provided. - Applicant does not plan to design step backs to the building (proposed 70 foot- high garage), since the church property is not being used as a residential use, but a long-standing institutional use. Applicant believes the criteria, though applicable to special exceptions, is not necessary in this case due to the actual use. St. James representatives have not indicated any issue with the building heights proposed, only potential on-street parking issues.

Response: *The comment in Item #19 refers to the provision in 48-455 of the Zoning Code that allows for 30' of bonus height for exemplary projects in the B-1 District. That section of code calls for "step backs" in height of the mixed use project such that the height of the mixed use building is "compatible with the maximum height permitted in the abutting "R". The City has approved various situations in prior mixed use projects.*

For example, the height of the Byron is about 85' abutting the R district but that area is the rear yard of single family houses and a narrow strip of City Parkland. In the case of the Spectrum building along Park Ave, the main building of 85' steps back to a band of

townhouses along Park Ave abutting the “R” district and these office townhouses are about 55’ feet in height on average. Rushmark is about 92 feet in height abutting the R-M district but a portion of the Rushmark building is stepped back after the first floor.

In the case of Mason Row, the townhouse style apartments along Park Avenue have flat roofs and are about 35’ high. Previously there was an above grade parking garage behind these townhouse style apartments such that after about 27’ the height went up to about 70’ (the height of the parking garage). Thus the side of the mixed use building (comprised of the apartments and the garage) facing the R district parcels owned by the St. James Church varied in size from 35’ at Park Avenue to about 70’ back from Park Ave. The Church is an institutional use and it has had no objection to this proposal.

However, the design has been modified such that the parking garage has been replaced with the Movie Theater. Moreover the apartments now go back from Park Avenue about 46.5’ before reaching the theater behind the apartments (movie theater approximately 61’ from face of curb). Not only has the character of the building facing the St. James Parcels changed for the better, the bulk and height of that building is less than it was. We believe the visual relationship of the mixed use building to the “R” district parcels to the east has markedly improved and the “step back” provided makes the heights compatible as required in Section 48-455 of the Zoning Code.

Comment 20: **Architectural Design Park Avenue Building** - Apartments fronting on Park Avenue have a townhouse style façade that needs further architectural accessory type elements – like commonplace step and porch features to complete the design (Attachment II). - Applicant to explore, architectural redesign, pending.

Response: *See Item #6,D above. We are unable to accommodate porches and entries as they would require additional loss of living space. We are unable to financially absorb the loss of residential square footage above and beyond what has been implemented so far.*

Comment 21: **Transportation Management Plan (TMP)** submitted provides mode share goals that are consistent with the City's strategy, but it is unclear which elements are just ideas and suggestions. A clear list of TMP elements, commitments, and specific measureable benchmarks are needed at this time and the details can be finalized at site plan. Pending finalization, but Applicant agrees to staff's suggested 1) Reduction in the number of peak hour trips generated by residential and office uses from ITE Trip generation amounts by 25%; 2) Increase non-Single Occupancy Vehicle (SOV) mode share for the site as a whole to 47%; and 3) reduce parking demand for the site by 13%. The Applicant has indicated (November 3, 2015 response letter) these issues and elements will be addressed and reflected in the final

VCs and TMP.

Response: *The transportation management plan changes are adhered to in the VCs, and the TMP will be finalized during site plan as noted above.*

Comment 22: **Street Geometry at N. West Street, Grove Avenue, and the W&OD Trail** requires further design and changes per staff comments and recommendations - Applicant indicates they will reflect changes in final engineering and design at Subsequent site plan stage.

Response: *See response to comment #7, above.*

Comment 23: **Affordable Housing Units (ADUs)** while the proposed 6% of total units being ADUs and half at 60% AMI and the other half at 80% AMI is generally within City affordable housing policy. The City affordable housing needs are more at 60% AMI and a mix of units comparable to the market unit mix. The Applicant in correspondence dated November 9, 2015 has agreed to all the ADUs being at 60% AMI and that the unit type mix will be comparable to the overall market unit mix.

Response: *The VCs were revised to meet the City policy.*

Comment 24: **High-Rise Building Package** - Fire Marshal indicates a preliminary determination is needed as to which building will be equipped with a high-rise fire protection package. Need preliminary building code analysis and build separation details – the Applicant's consultant has prepared a summary report submitted November 12th and currently under staff review

Need for a high-rise package is well defined in the building code, requirement is based upon highest occupied floor level and lowest level of fire truck access and the measure in building height being 75 feet or over. - Staff recommends requiring the high rise package in the VCs, up front, due to the major project planned heights of up to 85 feet and underground theater.

Response: *Due to the plan changes and the theater moving above grade, the life safety consultant (Jensen Hughes) will be updating the life safety report. A code summary will be provided as soon as possible. In addition, our minimum commitments are listed under the public safety portion of VC's.*

Comment 25: **West Broad Street Traffic Signal/Intersection** - The current proposed new traffic signal and intersection on West Broad Street does not align with the Dominion Jewelers opposite business, other business access or Rowell Court. The review of options to redesign the proposed traffic signal and intersection to align with property access points across the street is needed. The Applicant is analyzing and will provide options for consideration by staff and affected property owner.

Response: *See response to comment #5, above.*

Comment 26: Final, revised special exception **Conceptual Development Plan** and **Architectural Elevations** are required to reflect the items listed above and that address the final disposition of the Applicants response letter dated November 2, 2015 which address staff comments reflected in the previous letter to the Applicant, dated September 21, 2015.

Response: *Enclosed are the revised plans reflecting items noted above, and in our response letter from November 2, 2015. Additionally, the list of revisions since the July 24, 2015 submission is enclosed with this letter.*

Comment 27: Theater Anchor and Abatement Proposal - several Planning Commission members have indicated a strong desire to remove the theater from the proposed Mason Row project, as indicated in at their October 19 work session and November 2nd and 16th public hearings. That the subject site is not perceived as good location and have traffic generation and parking related concerns. Additional concern is the City Council consideration of a revenue sharing proposal that abates ticket tax revenues and subsidizes a private developer.

Response: *Less than a majority of the seven Planning Commissioners expressed strong desires to remove the Theater. The transportation improvements and the parking plan adequately address the traffic and parking concerns. The theater is an important anchor and will be a significant contributing factor to the success of the Retail Project Plan that is incorporated into the Voluntary Concessions. In the most recent City Council work session and in subsequent meetings with individual Council members, all Council members have voiced support for a theater. The applicant is revising its proposed development agreement for sharing Admission Tax Revenues to provide for a share for the City from the outset of Theater operations.*

We hope that this fully addresses any outstanding concerns, in preparation for the December 14, 2015 City Council Second Reading.

Sincerely,

The Mason Row Development Team



CITY OF FALLS CHURCH

*Department of Development Services
Planning Division
Room 300 West
300 Park Avenue
Falls Church, VA 22046-3332
Phone: 703.248.5040
Fax: 703.248.5225*

PLANNING DIVISION APPLICATION FORM

PROJECT NAME: Broad and West Development

Submit one form for each type:

☐ Site Plan

☐ Site Plan Amendment-Major

☐ Site Plan Amendment-Minor

☐ Special Exception

☒ Comp Plan Amendment

☐ Subdivision,
Consolidation or Lot Line
Adjustment

☐ Rezoning

☐ Interpretation / Planning
Director

☐ Zoning Ordinance Text
Amendment

PROJECT DESCRIPTION:

Street Address: Broad and West

RPC #: See Attached

Owner of Record: See Attached

APPLICANT INFORMATION:

Applicant: ☐ Owner ☐ Contract Owner ☒ Agent

Name: David R. Lasso

Address: Baskin, Jackson & Lasso, PC

Business Phone: 703-534-3610

301 Park Ave., Falls Church, VA 22046

Cell Phone: 703-801-1608

E-mail: David.Lasso@baskinjakson.com

Fax: 703-536-7315

PROJECT AND PROPERTY INFORMATION:

SITE PLAN

Current Zoning: N/A

☐ Present Development

☐ Proposed Development

of New Dwelling Units:

Commercial: _____ SF

☐ Mixed Use Development

☐ # Site Plan Waiver(s):

☐ Site Plan Resubmission

☐ Site Plan Amendment

SUBDIVISION, CONSOLIDATION OR LOT LINE ADJUSTMENT

Current Zoning: N/A

☐ Present Development

☐ Proposed Development

☐ Subdivision: ☐ SFH ☐
Commercial

☐ Consolidation

☐ Lot Line Adjustment

☐ Preliminary Plat ☐ Final
Plat

COMP PLAN/REZONING OR SPECIAL EXCEPTION

Current Zoning: R1B, B-1, B-3

Proposed Zoning: B-1

Present Future Land Map

Designation: Low Density
Residential and General Business

☐ Present Development

☒ On Street Loading Space
Proposed Development
Mixed Use/Bonus Height

☐ Conditional Rezoning

☐ Other Rezoning

TOTAL SITE AREA:

188,137 SF

4.3152 ACRES

APPLICANT SIGNATURE: David R. Lasso
For Spectrum Development Company, LLC

Applications must be accompanied by corresponding checklists and materials as required.

FEES: Fees will be determined by Planning staff after an initial evaluation of the submission. Fees are due at that time, prior to a full review beginning. Fees are paid at the Development Services Counter and may be paid by cash, check, credit card or debit card. Checks should be made out the "The City of Falls Church". Returned checks are subject to fee of up to \$50.00.

<i>Status of real estate and personal property taxes, liens, business license and fees:</i>			
TREASURER:	<input type="checkbox"/>	<input type="checkbox"/> Outstanding (please	Initials: _____
	Current	describe):	
COMM. REV:	<input type="checkbox"/>	<input type="checkbox"/> Outstanding (please	Initials: _____
	Current	describe):	

TOTAL FEE for this application: \$ _____

Accepted by: _____ MUNIS # _____
Staff

The City of Fall Church is committed to the letter and spirit of the Americans with Disabilities Act. This document will be made available in alternate format upon request. Call 703-248-5080 (TTY 711).

CONSENT LETTERS

November 4th 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 919 Park Avenue, Falls Church, VA


Dear Mr. Buskell:

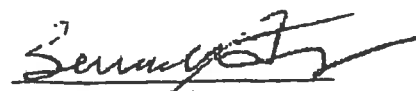
Title to 919 Park Avenue, Falls Church, VA is vested in "Nigel J. Yates and Bernadette Reverle Adams, formerly known as Bernadette Adams Yates, formerly known as Suzanne Bernadette Adams Yates".

The undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 919 Park Avenue, falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 919 Park Avenue, Falls Church, Virginia as mixed use rather than residential.
3. Rezone a portion of the property at 919 Park Avenue to B-1.
4. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,


Nigel J. Yates


Bernadette B. Adams

November 4, 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 921 Park avenue, Falls Church, VA

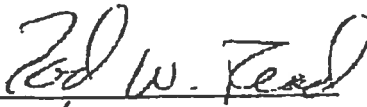
Dear Mr. Buskell:

Title to 921 Park Avenue, Falls Church, VA is vested in "Tod W. and Julia S. Read".

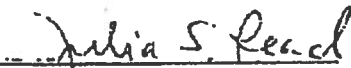
The undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 921 Park Avenue, falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 921 Park Avenue, Falls Church, Virginia as mixed use rather than residential.
3. Rezone the property at 921 Park Avenue to B-1.
4. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,



Tod W. Read
w.


Julia S. Read

November 14, 2013

Richard Buskell
President
Spectrum Development, LLC
1780 Dawson Street
Vienna, VA 22182

Re: 932 & 934 West Broad Street, Falls Church, VA
110 & 212 North West Street, Falls Church, VA
9,000 square feet lot on Park Avenue, Falls Church, Virginia
925 Park Avenue, Falls Church, Virginia
928 West Broad, Falls Church, VA
Dear Mr. Buskell:

Titles to the above captioned real properties are vested in "John E. Shreve, Richard S. Shreve, Thomas G. Shreve and Peter A. Amtson, as Trustees". The Trust address is: 212 North West Street, Falls Church, Virginia 22046.

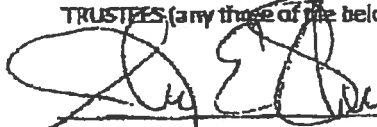
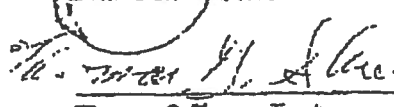
The sole beneficiary of the Shreve Trust is Shreve Associates, A Limited Partnership.


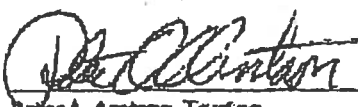
The Trust hereby consents to the filing by Spectrum Development, LLC. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the above captioned real properties.
2. Change the Comprehensive Plan Future Map to show the above captioned real properties as mixed use rather than low density residential and business.
3. Rezone the property at 925 Park Avenue to B-1
4. Rezone the property at 934 West Broad to B-1.
5. Special Use Permit for a drive through pharmacy.
6. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,

TRUSTEES (any three of the below Trustees may act):

 (SEAL)
John E. Shreve, Trustee
 (SEAL)
Thomas G. Shreve, Trustee

 (SEAL)
Richard S. Shreve, Trustee
 (SEAL)
Peter A. Amtson, Trustee

January 15, 2014

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 922 West Broad Street, Falls Church, VA

Dear Mr. Buskell:

Title to 922 West Broad Street, Falls Church, VA is vested in "Atalla Trust, Nick Atalla, Trustee". The mailing address used by the title owner for communications regarding the property is _____
11228 NE 67th Street, Kirkland, WA 98033

The beneficiaries of the Atalla Trust are:

Mike Atalla

Suzie Atalla

Jimmy Atalla

Nick Atalla

Louie Atalla

The Undersigned hereby consents to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 922 West Broad Street, Falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 922 West Broad Street Falls Church, Virginia as mixed use rather than commercial.
3. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,

 , Trustee

NICK ATALLA

October __, 2013

Richard Buskell
President
Spectrum Development, L.L.C.
1780 Dawson Street
Vienna, VA 22182

Re: 920 West Broad Street, Falls Church, VA

Dear Mr. Buskell:

Title to 920 West Broad Street, Falls Church, VA is vested in "Nabillah Pajelah, also known of record as Nabillah Pajela, Massorah Niazy, also known of record as Mastoorah Niazy, and Esmatullah Niazy". The mailing address used by the title owners for communications regarding the property is:

8302 Judy Witt Lane Vienna, VA 22182

The Undersigned hereby consent to the filing by Spectrum Development, L.L.C. of the following applications to the City of Falls Church, Virginia:

1. Special Exception to allow Mixed Use Development and construction of building with a maximum height of 85' on the property at 920 West Broad Street, Falls Church, Virginia.
2. Change the Comprehensive Plan Future Map to show the property at 920 West Broad Street Falls Church, Virginia as mixed use rather than residential.
3. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as the "Broad and West".

Respectfully submitted,


NABILAH PAJELAH


MASSORAH NIAZY


ESMATULLAH NIAZY

22

NEW

October 15, 2014

Richard Buskell
President
Spectrum Development, LLC
1866 Amberwood Manor Court
Vienna, VA 22182

Re: 916 West Broad Street, Falls Church VA (the "Property")

Dear Mr. Buskell:

Title to 916 West Broad Street, Falls Church, VA is vested in "Raheja, LLC," a Virginia limited liability company. The mailing address used by the title owner for communications regarding the property is 916 W. Broad Street, Falls Church, VA 22046.

The members of Raheja, LLC are:

Surinder Singh Raheja

Himani Raheja

The undersigned hereby consents to the filing by Spectrum Development, LLC of the following applications to the City of Falls Church, Virginia:

1. Special exception to allow Mixed Use Development and construction of buildings in the 900 block of W Broad Street up to a maximum height of 110'.
2. Rezone the property at 916 W. Broad Street, Falls Church, VA to B-2.
3. Change the Comprehensive Plan Future Map to show the property at 916 W. Broad, Falls Church, VA as mixed use rather than commercial.
4. Any other zoning entitlement application or permit necessary to authorize the development of the mixed use project known as 'Mason Row'.

This consent is subject to Raheja, LLC and Spectrum Development, LLC entering into a purchase and sale agreement for the Property and this consent and the above referenced applications may be withdrawn by Raheja, LLC in the event the parties do not enter into such a purchase and sale agreement.

Respectfully Submitted,

Surinder Singh Raheja

Surinder Singh Raheja
Member



Application Number _____

CITY OF FALLS CHURCH, VIRGINIA
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
Disclosure Statement

Type or Print in Ink. Complete the following:

1. Description of the real estate affected. List the addresses of all property that is affected by the application. Provide the lot, block, section, and subdivision of all parcels only if the properties have not been subdivided.

Address(es) See Broad and West Parcel Ownership Statement Attached

Lot(s) _____ Block(s) _____

Section(s) _____ Subdivision _____

2. Is the owner of said real estate, a corporation whose stock is traded on a national or local stock exchange and having more than five hundred (500) shareholders?

No ☒

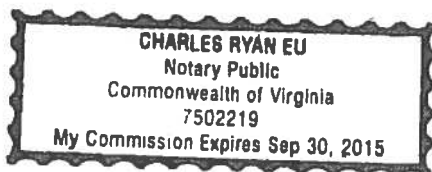
Yes ☐

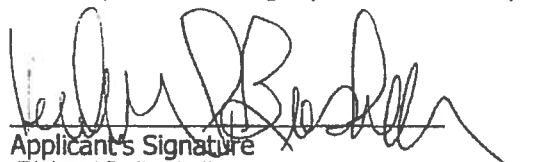
If "Yes", give the name of the corporation and skip to Item 4.

3. List the names, addresses, and nature of interest of **ALL** persons having equitable ownership of the real estate to be affected, including, in the case of corporate ownership, the names of stockholders, officers, and directors; and of **ALL** real parties of interest.

PARCEL ADDRESS	NAME	ADDRESS	NATURE OF INTEREST
See Attached			

4. I hereby certify that this is a true and accurate disclosure of all persons having equitable ownership real estate to be affected and of all the parties in interest.




Applicant's Signature
Richard P. Buskell
Managing Partner
P.O. Box 937
Vienna, Virginia 22183
Applicant's Address

State of Virginia
County of Fairfax

Subscribed and sworn before me this 11 day of December, 2014.

Notary Public 

My Commission Expires 9/30/14

Mason Row As of January 23, 2015 Parcel Ownership

PARCEL #	ADDRESS	SQUARE FOOTAGE	ACRES	EXISTING ZONE	PROPOSED ZONE	EXISTING LAND USE DESIGNATION	PROPOSED LAND USE DESIGNATION	OWNERS
51-202-015	919 PARK AVENUE Lot 3, D.J. BROWN	15,072	0.35	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	NIGEL YATES AND BERNADETTE YATES 919 PARK AVENUE, FALLS CHURCH, VA 22046
51-202-014	921 PARK AVENUE Lot , D.J. BROWN	15,064	0.35	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	TOD W. READ AND JULIA S. READ 921 PARK AVENUE, FALLS CHURCH, VA 22046
51-202-013	925 PARK AVENUE Lot 1, D.J. BROWN	14,570	0.33	R-1B	B-1	LOW DENSITY RESIDENTIAL	REAR HALF TO MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 921 PARK AVENUE, FALLS CHURCH, VA 22046 ¹
51-202-012	212, 212A NORTH WEST STREET Lot 11, ACREAGE PARCEL	9,572	0.22	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-011	212, 212A NORTH WEST STREET Lot 3, MINNIE ELLISON	21,000	0.48	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-010	110, 112, 112A NORTH WEST STREET Lot 2, MINNIE ELLISON	15,488	0.36	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. RICHARD PETER ¹ 212 WEST ST., FALLS CHURCH, VA 22046 ²
51-202-009	934 WEST BROAD STREET Lot 1, MINNIE ELLISON	19, 868	0.46	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS

51-202-028 OUTLOT	928, 930, 932 WEST BROAD STREET Lots 1, 2, and 1A ACREAGE PARCEL	3,843	0.09	B3	B-1	BUSINESS	MIXED USE	CHURCH, VA 22046 ¹ WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-028	928, 930, 932 WEST BROAD STREET Lots 1, 2, and 1A ACREAGE PARCEL	22,260	.51	B3	B-1	BUSINESS	MIXED USE	WILLIAM C. SHREVE, SR. AND JR., JOHN E. SHREVE, JR. TRUSTEES 212 WEST ST., FALLS CHURCH, VA 22046 ¹
51-202-005	922, 924, 926 WEST BROAD STREET Lot 3, ACREAGE PARCEL	16,962	0.39	B1	B-1	BUSINESS	MIXED USE	ATALLA TRUST MIKE N. ATALLA AND SUSIE K. ATALLA, TRUSTEES OF 6926 CONFEDERATE RIDGE LANE, CENTREVILLE, VA 20121 ³
51-202-004	920 WEST BROAD STREET Lot 4, ACREAGE PARCEL	16,789	0.38	B1	B-1	BUSINESS	MIXED USE	PAJELA NABLAH, ET AL. 5429 MIDDLEBOURNE LANE CENTREVILLE, VA 20120 ⁴
52-202-003	916 West Broad Street Lot 5	17,649	.40520	B1	B1	BUSINESS	MIXED USE	RAHEJA, LLC 916 W. BROAD STREET FALLS CHURCH, VA 22046 ⁵
TOTAL		188, 137	4.31520					

1 and 2 The beneficiary of the Trust is Shreve Associates, a Limited Partnership. This partnership is comprised of John E. Shreve, Richard S. Shreve, Thomas G.

Shreve, Debra Shreve King, Dee Ann Walton, Darlene Penae Shreve, Shane Christopher Shreve and the Estate of William C. Shreve, Jr.

3 Beneficiaries are Mike Atalla, Jimmy Atalla, Louie Atalla, Suzie Atalla, and Nick Atalla

4 Remaining Owners are Massorah Niazy and Esmatullah Niazy

5 Members are Himoni Raheja and Surinder Singh Raheja

Contract Purchaser for all parcels is Spectrum Development LLC, located at P.O. Box 937, Vienna, Virginia 22183. The members are Peter A. Batten (Principal), Richard P. Buskell (President and CEO), and Bobby G. Batten (Principal).

**Statement Regarding West and Broad Streets Development's Impact on Community Facilities,
Including Transportation, Schools, and Water and Sewer Systems**

The proposed development will marginally impact all community facilities and it does add students to the school system. Please refer to the Justification letter provided and the concept plan itself, as well as the Fiscal and Analysis provided by the City staff.

However, the development proposed is designed to not only mitigate these impacts, but improve the current situation.

- Improvements to the W&OD Trail are proposed, by way of a cash contributor. The development will include recreational amenities for its residents (pool, exercise and media rooms.
- The intersections at West and Park and West and Grove will be improved significantly with turn lanes and new controls. Please refer to the TIA by Wells and Associates. The number of curb cuts will be reduced substantially and a new "spine road" through the project should improve the current conditions in that immediate area.
- The current users have no storm water management but the proposed development will have BMP's for storm water management and will improve community SWM facilities dramatically. It is also expected the sanitary sewer will improve by eliminating storm water from entering the system, although clearly the overall load to the sewage treatment plan will increase.
- The new development will dramatically improve the streetscape along West Broad, West and Park Avenue.
- The existing users are not energy efficient but the new apartment building will meet LEED Silver standards.
- While some new students will be added, the development will contribute toward capital costs of the school system.
- A cash contribution will be made for Parks and other City services and capital needs.



G T M A R C H I T E C T S

December 9, 2015

Gary Fuller
Principal Planner
City of Falls Church
300 Park Ave
Falls Church, VA 22046

Re: Mason Row Changes

Gary,

Listed below is a summary of changes that have occurred on the Mason Row project between the SE Application Sub 06 (Dated July 24, 2015) and the current SE Application Sub 08 (Dated December 9, 2015):

Residential

1. Reduced the number of apartments from 340 to 299 market rate and 23 ADU, for a total of 322 (5.3% reduction).
2. Reduced the residential gross floor area.
3. Increased number of ADU homes by 3 homes above policy.
4. Removed one (1) floor of apartment building along N. West St
5. Removed one (1) floor of apartment building at corner of Mason Ave and Park Ave
6. Added residential access points throughout ground floor for convenience of residents to access retail and W/OD Trail.
7. Changed the large blank façade on east elevation along W. Broad St to (2) smaller facades.
8. Provided space for potential mural on eastern façade at Broad St.
9. Added a green screen at the 2 parking levels on the east façade.
10. Reduced overhang of cornice at tower locations @ N. West Street and Park Ave.
11. Broke up parapet of residential cornice along Broad Street.

Retail

1. Relocated theater to above grade location at eastern interior area of the site.
2. Maintained the same retail plan configurations.
3. Maintained the convenience retail parking at grade and mezzanine spaces.
4. Removed parking garage from under Market square to allow more flexibility of designing Market Square during site plan.
5. Moved apartment and theater building back an additional 16' from Park Ave. (Theater façade is now 60'-63' from Park Ave curb).
6. Theater height is 30'-40' maximum, with the final height to be determined after the theater design is completed. At a maximum, the theater will be equal in height to the previously proposed parking garage, but may be shorter.

Hotel

1. Redesigned Hotel elevations to fit in with Falls Church architecture.
2. Broke the cornice lines at the roof of the hotel .
3. Differentiated hotel common areas from rest of hotel.
4. Carried hotel architecture down to grade to highlight hotel entrance.
5. Minimized “Green” hotel branding color on facades.
6. Reduced material color palette of hotel to look less busy.
7. Removed E.I.F.S material from the community.

Transportation & Jurisdiction

1. East access on Broad Street revised to incorporate entrance into Dominion Jewelers and their inter-parcel access with Rowell Court.
2. All city, neighborhood and NVRPA traffic improvements provided, including:
 - a. Narrowing Grove Avenue to 25’ along the Park property
 - b. Providing raised crosswalk for Grove Avenue
 - c. Re-aligning N. West Street curb to narrow road between N. West and Grove Ave.
 - d. Added sidewalk and curb re-alignment for northeast bound N. West Street to Steeples Court.
5. Parking provided per Application Sub 06: 1,108 spaces
Parking provided per the current SE Application Sub 08: 1,007 spaces
6. Added 3 speed tables for Grove Ave in VC’s, subject to city approval.

Please let me know if you have any further questions.

Thanks,

A handwritten signature in black ink, appearing to read 'Jeff Whitman', with a long horizontal flourish extending to the right.

Jeff Whitman
GTM Architects



CITY OF FALLS CHURCH

Department of Development Services
Planning Division
Room 300 West
300 Park Avenue
Falls Church, VA 22046-3332
Phone: 703.248.5040
Fax: 703.248.5225

PLANNING DIVISION APPLICATION FORM

PROJECT NAME: Broad and West Development

Submit one form for each type:

☐ Site Plan

☐ Site Plan Amendment-Major

☐ Site Plan Amendment-Minor

☐ Special Exception

☐ Comp Plan Amendment

☐ Subdivision,
Consolidation or Lot Line
Adjustment

☒ Rezoning

☐ Interpretation / Planning
Director

☐ Zoning Ordinance Text
Amendment

PROJECT DESCRIPTION:

Street Address: Broad and West

RPC #: See Attached

Owner of Record: See Attached

APPLICANT INFORMATION:

Applicant: ☐ Owner ☐ Contract Owner ☒ Agent

Name: David R. Lasso

Address: Baskin, Jackson & Lasso, PC

Business Phone: 703-534-3610

301 Park Ave., Falls Church, VA 22046

Cell Phone: 703-801-1608

E-mail: David.Lasso@baskinjackson.com

Fax: 703-536-7315

PROJECT AND PROPERTY INFORMATION:

SITE PLAN

Current Zoning: N/A

☐ Present Development

☐ Proposed Development

of New Dwelling Units:

Commercial: _____ SF

☐ Mixed Use Development

☐ # Site Plan Waiver(s):

☐ Site Plan Resubmission

☐ Site Plan Amendment

SUBDIVISION, CONSOLIDATION OR LOT LINE ADJUSTMENT

Current Zoning: N/A

☐ Present Development

☐ Proposed Development

☐ Subdivision: ☐ SFH ☐
Commercial

☐ Consolidation

☐ Lot Line Adjustment

☐ Preliminary Plat ☐ Final
Plat

COMP PLAN/REZONING OR SPECIAL EXCEPTION

Current Zoning: R1B, B-1, B-3

Proposed Zoning: B-1

Present Future Land Map

Designation: Low Density

Residential and General Business

☐ Present Development

☒ On Street Loading Space
Proposed Development

☐ Conditional Rezoning

☐ Other Rezoning

TOTAL SITE AREA:

188,137 SF

4.3152 ACRES

APPLICANT SIGNATURE: David R. Lasso
For Spectrum Development Company, LLC

Applications must be accompanied by corresponding checklists and materials as required.

FEES: Fees will be determined by Planning staff after an initial evaluation of the submission. Fees are due at that time, prior to a full review beginning. Fees are paid at the Development Services Counter and may be paid by cash, check, credit card or debit card. Checks should be made out the "The City of Falls Church". Returned checks are subject to fee of up to \$50.00.

<i>Status of real estate and personal property taxes, liens, business license and fees:</i>			
TREASURER:	<input type="checkbox"/>	Outstanding (please	Initials: _____
	Current	describe): _____	
COMM. REV:	<input type="checkbox"/>	Outstanding (please	Initials: _____
	Current	describe): _____	

TOTAL FEE for this application: \$ _____

Accepted by: _____ MUNIS # _____
Staff

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☐ Proposed Development

☐ Subdivision: ☐ SFH ☐
Commercial

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COMP PLAN/REZONING OR SPECIAL EXCEPTION

Current Zoning: R1B, B-1, B-3
Proposed Zoning: B-1

Present Future Land Map
Designation: Low Density
Residential and General Business

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☒ On Street Loading Space
Proposed Development
Mixed Use/Bonus Height

☐ Conditional Rezoning

☐ Other Rezoning

TOTAL SITE AREA:

188,137 SF

4.3152 ACRES

APPLICANT SIGNATURE: David R. Laro
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